

Article - Natural Resources

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§5–212.

- (a) In this section, “Fund” means the Forest or Park Reserve Fund.
- (b) There is a Forest or Park Reserve Fund in the Department.
- (c) The purpose of the Fund is to enable the Department to purchase and manage in the name of the State lands suitable for forest culture, reserves, watershed protection, State parks, scenic preserves, historic monuments, parkways, and State recreational reserves.
- (d) The Department shall administer the Fund.
- (e) (1) The Treasurer shall hold the Fund separately and the Comptroller shall account for the Fund.

(2) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.
- (f) The Fund consists of:
 - (1) Except as provided in § 5–307(f)(1)(iv) of this title, any money obtained from the State forest reserves, State parks, scenic reserves, parkways, historic monuments, and recreation areas;
 - (2) Revenue distributed to the Fund from fines collected under § 5–1302 of this title; and
 - (3) Revenue received by the Fund under § 5–207(b) of this subtitle.
- (g) (1) Subject to paragraphs (3) and (4) of this subsection, the Fund may be used only for:
 - (i) 1. Purchasing and managing in the name of the State lands suitable for forest culture, reserves, watershed protection, State parks, scenic preserves, historic monuments, parkways, and State recreational reserves; and
 - 2. Helping to offset the costs to the Forest and Park Service for developing and implementing a forest health emergency contingency program under § 5–307 of this title;

(ii) Subject to paragraphs (2) and (4) of this subsection, payments to counties in the amount of:

1. If the State forest or park reserve comprises less than 10% of the total land area of the county, a sum equal to 15% of the revenue derived from the State forest or park reserve located in that county; and

2. If the State forest or park reserve comprises 10% or more of the total land area of the county, a sum equal to 25% of the revenue derived from the State forest or park reserve located in that county; and

(iii) Administrative costs calculated in accordance with § 1–103(b)(2) of this article.

(2) For fiscal years 2012, 2013, and 2015 only, the payments under paragraph (1)(ii) of this subsection shall be based only on the revenue derived from sales of timber.

(3) (i) From revenues described in subsection (f) of this section that are attributable to Maryland Park Service operations, less any amount of those revenues allocated for administrative costs in accordance with paragraph (1)(iii) of this subsection, the Governor shall include in the State budget an appropriation for the Maryland Park Service equal to 100% of the remaining revenues, for fiscal year 2018.

(ii) From revenues described in subsection (f) of this section that are attributable to Maryland Park Service operations, less any amount of those revenues allocated for administrative costs in accordance with paragraph (1)(iii) of this subsection, and less any prior year closing fund balance, for fiscal year 2019 and each fiscal year thereafter, the Governor shall include in the State budget an appropriation for the Maryland Park Service in an amount equal to 100% of the revenues from the second preceding fiscal year.

(4) A county may not receive a payment under paragraph (1)(ii) of this subsection in a fiscal year if the county receives a payment from the State under § 6.5–201 of the Tax – Property Article in the same fiscal year.

(h) (1) The Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(2) Any investment earnings of the Fund shall be credited to the General Fund of the State.

(i) Expenditures from the Fund may be made only in accordance with the State budget.

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